

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

NORTHERN DYNASTY
MINERALS LTD. and PEBBLE
LIMITED PARTNERSHIP,

Plaintiffs,

v.

U.S. ENVIRONMENTAL PROTECTION
AGENCY,

Defendant.

Case No. 3:24-cv-00059-SLG

DECLARATION OF ANDERS PER WOLD GUSTAFSON

I, Anders Gustafson, hereby declare:

1. My name is Anders Gustafson. I am a resident of Homer, Alaska. I have been a member and supporter of the National Wildlife Federation (NWF) for over nine years.

2. I make this declaration in support of NWF's Motion to Intervene in the above-captioned litigation. I know these facts of my own personal knowledge and would competently testify to them if called as a witness in these proceedings.

3. I received a Bachelors Degree in Environmental Studies and Outdoor Education from the University of Alaska Anchorage in 2001.

4. I am the General Manager of Lake Clark Lodge, located in Alaska's Lake Clark National Park and Preserve and on the shores of Lake Clark, the second largest lake in Alaska. This summer marks a particularly exciting moment in the history of the Lake Clark Lodge, as my family and I are reopening the lodge to the public in June, after its closure for a number of years following the death of renowned Alaskan entrepreneur and Pebble Mine opponent, Robert Gillam. Through our work to reopen the lodge, my family and I hope to carry on its legacy and mission of conservation in the Bristol Bay region. I am also currently a board member of the Bristol Bay Heritage Land Trust, an organization dedicated to the preservation and protection of the salmon and wildlife habitat of the Bristol Bay region. Previously, I also spent eight years as Executive Director of the Renewable Resources Foundation and Coalition—the Alaska affiliate of NWF—based out of Anchorage, Alaska.

5. I have spent time every summer since I was 19 years old on the rivers and in the mountains of the Bristol Bay watershed. Many of these summers were spent guiding fishing trips on the Koktuli and Mulchatna rivers directly downstream of the proposed Pebble Mine location.

6. This area of Alaska is incredibly important to my livelihood and my lifestyle. I depend on the robust ecology of the watershed for my work and my solace; it is woven throughout my entire life. Moreover, the Bristol Bay Fisheries Reserve is one of a kind. Nowhere else in Alaska, or the world, is there a more acclaimed fishery. Over millennia, the unbroken flow of water has perfected the ecology of the region. This

perfection will be permanently altered and degraded if the proposed Pebble Mine project moves forward. Alaskans have long advocated for the Environmental Protection Agency (EPA) to get involved in the protection of the Bristol Bay watershed.

7. Permitting the construction of the proposed Pebble Mine project would irreversibly alter the landscape and watershed, including areas along the Koktuli and Mulchatna rivers where I lead fishing and ecology trips. There is no place as spectacular and productive as the Bristol Bay watershed. I along with other visitors and my clients will go elsewhere to find pristine water and unadulterated wilderness if the area surrounding the Pebble deposit is industrialized.

8. The Koktuli River is a major spawning river for king salmon in the Nushagak Drainage. Pebble's own studies have downplayed the significance of this tributary to the overall abundance of the Nushagak king salmon run. Any alteration to the headwaters of this river will cause irreparable harm to all the main users: sport, commercial, and subsistence. My personal and work opportunities for fishing will be destroyed, as will those of hundreds of my friends and colleagues in the region. I will personally be harmed by any impacts to Bristol Bay salmon stemming from the proposed Pebble Mine.

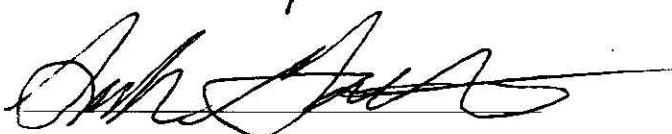
9. The plaintiffs in this litigation seek to reverse EPA's important decision protecting the Bristol Bay region. This would severely harm the interests of NWF, as well as me and my family.

10. NWF and its supporters are not adequately represented by EPA in this lawsuit. EPA does not have the intimate knowledge and understanding of the Bristol Bay region in the same way that the people who are of the land and spend time on the land do.

11. While we support EPA's Final Determination, we can only be sure that our interests are protected by participating in the lawsuit as a party. EPA has changed course before, as in 2017 when it suddenly withdrew its Proposed Determination after a change in administration. Agency leadership could change again during the pendency of this lawsuit, especially in light of the upcoming November 2024 election. Only by intervening and gaining the rights of a party can NWF be sure that its interests and those of its members and supporters are protected.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 4 day of May 2024 in Homer, AK.



Anders Gustafson